

AO 440 (Rev. 05/00) Summons in a Civil Action

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

General John T. Chain, Jr. (USAF, Retired)

CASE NUMBER:

**07 C 6317**

V.

ASSIGNED JUDGE:

LAKE FOREST PARTNERS, LLC, a Nevada  
Corporation; CHRISTOPHER T. FRENCH, ALBERT  
J. MONTANO and MARK D. WEISSMAN, M.D.,

DESIGNATED  
MAGISTRATE JUDGE:

**JUDGE GUZMAN  
MAGISTRATE JUDGE MASON**

TO: (Name and address of Defendant)

Albert Montano  
Lake Forest Partners, LLC  
249 Market Square  
Lake Forest, IL 60045

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Jonathan M. Cyrluk  
Mariah E. Moran  
Stetler & Duffy, Ltd.  
11 South LaSalle Street, Suite 1200  
Chicago, Illinois 60603

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

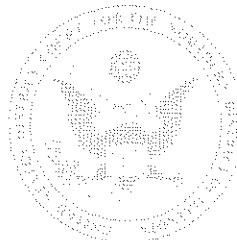
Michael W. Dobbins, Clerk

*Michael W. Dobbins*

(By) DEPUTY CLERK

**November 7, 2007**

Date



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<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER ( <i>PRINT</i> )	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: _____            _____         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.            Name of person with whom the summons and complaint were left: _____         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: _____            _____            _____         </div> <div> <input type="checkbox"/> Other (specify): _____            _____            _____         </div>		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ <i>Signature of Server</i> _____</p> <p style="text-align: center;">_____ <i>Address of Server</i></p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**Affidavit of Process Server**

General John T. Chair Jr vs Lake Forest Partners et  
 PLAINTIFF/PETITIONER DEFENDANT/RESPONDENT CASE #  
Walter Schwalm

Being duly sworn, on my oath, I declare that I am a citizen of the United States, over the age of eighteen and not a party to this action.

**Service:** I served Albert Mortano NAME OF PERSON/ENTITY BEING SERVED  
 with the (documents) ☐ Subpoena with \$ \_\_\_\_\_ witness fee and mileage  
☒ Summons & Complaint

by serving (NAME) X Albert Mortano

at ☐ Home

☒ Business

☒ on (DATE) 7/12/13/07

at (TIME) 10:00 A.M.

Thereafter copies of the documents were mailed by prepaid, first class mail on (DATE) \_\_\_\_\_

from (CITY) \_\_\_\_\_

(STATE) \_\_\_\_\_

**Manner of Service:**

☒ By Personal Service

☐ By leaving, during office hours, copies at the office of the person/entity being served, leaving same with the person apparently in charge thereof,

namely \_\_\_\_\_

☐ By leaving a copy at the defendant's usual place of abode, with some person of the family or a person residing there, of the age of 13 years or upwards, and informing that person of the general nature of the papers,

namely \_\_\_\_\_

☐ By posting copies in a conspicuous manner to the address of the person/entity being served.

**Non-Service:** After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

☐ Unknown at Address

☐ Evading

☐ Other: \_\_\_\_\_

☐ Address Does Not Exist

☐ Service Cancelled by Litigant

☐ Moved, Left no Forwarding

☐ Unable to Serve in a Timely Fashion OUT OF OFFICE

**Service Attempts:** Service was attempted on: (1) 11/16/07 11:00 AM (2) 11/19/07 12:30 PM still out of office  
Office closed, no answer DATE TIME 11/21/07 4:21 PM NOT AT RES. DATE TIME 11/23/07 7:00 AM AT RESIDENCE  
 (3) 11/24/07 10:20 AM when I knock DATE TIME (4) 11/26/07 7:00 AM NO ANSWER DATE TIME

**Description:**

☒ Male

☐ Female

☒ White Skin

☐ Black Skin

☐ Yellow Skin

☐ Brown Skin

☐ Glasses

☐ Red Skin

☐ Black Hair

☐ Brown Hair

☐ Blond Hair

☐ Gray Hair

☐ Red Hair

☒ White Hair

☐ Balding

☐ Mustache

☐ Beard

☐ 14-20 Yrs.

☐ 21-35 Yrs.

☐ 36-50 Yrs.

☐ 51-65 Yrs.

☐ Over 65 Yrs.

☐ Under 5'

☐ 5'0"-5'3"

☒ 5'4"-5'8"

☒ 5'9"-6'0"

☐ Over 6'

☐ Under 100 Lbs.

☐ 100-130 Lbs.

☐ 131-160 Lbs.

☒ 161-200 Lbs.

☐ Over 200 Lbs.

OTHER IDENTIFYING FEATURES: white hair, brown eyes.

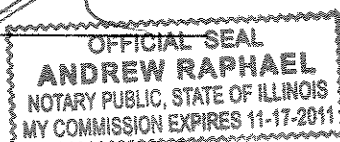
State of Illinois

County of Cook

Subscribed and sworn to before me,

a notary public, this 4 day of December, 2007

NOTARY PUBLIC



CHARTER MEMBER NATIONAL ASSOCIATION OF PROFESSIONAL PROCESS SERVERS.

SERVED BY  
 LASALLE PROCESS SERVERS